



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3022171
Applicant Name: Akaska Whoolery
Address of Proposal: 30 Florentia Street

SUMMARY OF PROPOSAL

Land Use Application to allow two single family residences in an environmentally critical area. Surface parking for two vehicles to be provided. Existing single family residence to be removed.

The following approval is required:

SEPA Environmental Threshold Determination (SMC Chapter 25.05)

Seattle DCI SEPA DETERMINATION

Determination of Non-significance

- ☒ No mitigating conditions of approval are imposed.
- ☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

SITE AND VICINITY

Site Location: 30 Florentia Street
Zoning: Lowrise-1 (LR1)
Parcel Size: 3,600 sq. ft. (0.08 acres)
Existing Use: Single family home
ECA: This site contains an
Environmentally Critical Area
(potential slide area).



PROJECT DESCRIPTION

The applicant is proposing two 3-story single family homes in environmentally critical area. The proposed project includes demolition of the existing single family home currently located on the

site to accommodate development of the new homes and two parking spaces. Proposed vehicular access is located at the rear of the property from the alley.

Based on a review of the submitted information and the City GIS system, The Seattle DCI Geotechnical reviewer noted "Seattle DCI concludes that the project appears to qualify for steep slope exemption based on criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b. Specifically, the submitted information for the steep slope developmental allowance application demonstrated that steep slopes at the site appear to have been created by previous legal grading activities associated with site development and street improvement. For this reason, Seattle DCI waived the required ECA Steep Slope Variance under Seattle DCI Application No. 6490598. This approval is conditioned upon the approval of a subsequent building permit application for a design that demonstrates that the proposed development will be completely stabilized in accordance with provisions of the ECA Code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development."

Public Comment

The public comment period ended on November 15, 2015 and no comments were received.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area (ECA) due to potential slide area, as noted above. Proposals located in landslide prone areas (i.e. known landslide areas, potential landslide areas, and steep slopes), wetlands, and fish and wildlife habitat conservation areas may require environmental review (SMC 25.05.908), thus this application is not exempt from SEPA review. However, the scope of environmental review of projects within these critical areas is limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and signed October 21, 2015. A geotechnical report dated February 11, 2016 and revised April 22, 2016, was submitted. The information in the checklist, the geotechnical report, supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The Seattle Department of Construction and Inspections has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in this analysis, this action will result in adverse impacts to the environmentally critical area. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,”* subject to some limitations. Short-term and long term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; and increased vibration from construction operations and equipment. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Earth/Soils

The ECA Ordinance and Directors Rule (DR) 18-2011 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide prone areas. Pursuant to this requirement the applicant submitted a geotechnical report (The Galli Group, Inc., February 11, 2016 and revised April 22, 2016, was submitted). The geotechnical study has been reviewed by Seattle DCI’s geotechnical experts who determined that the impacts to soils can be sufficiently mitigated through the Grading Code and Stormwater Code review by the Geotechnical Engineer during the Building Permit phase of review. The applicant will be required to submit geotechnical studies and any other information to determine compliance with those Codes during Building Permit review. No additional mitigation is warranted pursuant to SEPA policies SMC 25.05.675.D.

Long -term Impacts

Long term or use-related impacts on the environmentally critical area are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; loss of plant and animal habitat. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Plants and Animals

There are a total of 5 mature trees located on the project site. There is one existing street tree, which the Arborist Report recommends removing due to the poor health of the tree. Of the 5 trees located on the project site, none were classified as Exceptional. The project proposes removing the 5 trees located on the project site and planting 16 trees onsite. In addition, the applicant proposes to replace the street tree. The applicant submitted an arborist report prepared by Chris Selle, Certified Arborist, dated November 3, 2015. The Director reviewed this reports and concurs with the arborist’s tree inventory and site plan showing the location of the trees. The Director determined the proposal is consistent with the provisions of SMC 25.11.050 and 25.11.070 which sets forth exceptional tree determination and protection requirements as well as Director’s Rule 16-2008.

No further conditioning or mitigation is warranted pursuant to specific environmental policies under SMC 25.05.675.N or the SEPA Overview Policy (SMC 25.05.665).

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – SEPA

No conditions required.

Crystal Torres, Land Use Planner
Seattle Department of Construction and Inspections

Date: May 19, 2016

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.